

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 31 2006

EPITACIO MENDOZA-PADILLA; et al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-72234

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

Agency Nos. A79-574-694
A79-574-695
A79-574-696

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006 **

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges.

Epitacio Mendoza-Padilla, his wife Gloria Morales Suastegui, and their son Jose Mendez Morales¹, natives and citizens of Mexico, petition for review of the

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

¹ The clerk shall amend the docket to reflect the correct spelling of petitioners' names, Gloria Morales Suastegui and Jose Mendez Morales.

Board of Immigration Appeals' order dismissing their appeal from an immigration judge's decision denying their applications for cancellation of removal. We dismiss the petition for review.

The petitioners' contention that the agency deprived them of due process by finding that they failed to establish exceptional and extremely unusual hardship does not state a colorable due process claim. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005) (“[t]raditional abuse of discretion challenges recast as alleged due process violations do not constitute colorable constitutional claims that would invoke our jurisdiction.”).

PETITION FOR REVIEW DISMISSED.